

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ROBERT WAYNE MACK	)	
	)	No. 3-11-0431
v.	)	
	)	
FOX COLLECTION CENTER, INC.;	)	
and EXPERIAN INFORMATION	)	
SOLUTIONS, INC.	)	

ORDER

By contemporaneously entered order, the Court has approved and entered the parties' proposed initial case management order, with modifications addressed at the initial case management conference held on July 25, 2011. Those modifications and other matters addressed on July 25, 2011, are as follows:

1. The parties agree that the correct name of defendant Fox Collection Center, Inc. is Professional Recovery Management, Inc. d/b/a Fox Collection Center.

Therefore, the Clerk is directed to terminate Fox Collection Center, Inc. as a defendant in this case and substitute therefor Professional Recovery Management, Inc. d/b/a Fox Collection Center.

2. Because the parties do not anticipate any significant discovery of electronically stored information, they are exempted from the provisions of Administrative Order No. 174, entitled "Default Standard for Discovery of Electronically Stored Information ('E-Discovery')," entered July 9, 2007.

3. Any motions to amend the pleadings shall be filed by January 30, 2012.

4. The plaintiff shall have until November 16, 2011, to serve expert disclosures in accord with Rule 26(a)(2) of the Federal Rules of Civil Procedure.

5. The defendants shall have until December 16, 2011, to serve Rule 26(a)(2) expert disclosures.

6. The plaintiff shall have until January 17, 2012, to serve Rule 26(a)(2) rebuttal expert disclosures. Such expert disclosures shall be limited to rebutting the defendants' expert disclosures and the plaintiff shall not be permitted to serve expert disclosures that are unrelated to the expert disclosures served by the defendants.

7. The plaintiff shall make a settlement demand on the defendants by July 29, 2011. Thereafter, the parties shall engage in any appropriate settlement discussions and they may schedule a telephone conference call with the Court to address the potential for settlement and/or propriety of ADR at any appropriate time.

8. Counsel for the parties shall convene a telephone conference call with the Court on **Wednesday, March 28, 2012, at 1:00 p.m.**, to be initiated by counsel for defendant Experian, to address the status of the case, the potential for settlement, propriety of ADR, and any other appropriate matters.

As provided in the contemporaneously entered order, any dispositive motion shall be filed by April 30, 2012. Any response shall be served within 28 days of the filing of the motion or by May 28, 2012, if the motion is filed on April 30, 2012. Any reply, if necessary, shall be filed within 14 days of the filing of the response or by June 11, 2012, if the response is filed on May 28, 2012.

No other filings in support of or in opposition to any dispositive motion shall be made except with the express permission of the Honorable Kevin H. Sharp.

There shall be no stay of discovery before the February 28, 2012, deadline for completion of fact and expert discovery even if a dispositive motion is filed prior thereto.

In consultation with Judge Sharp's office, a jury trial is scheduled to begin on **Tuesday, October 9, 2012, at 9:00 a.m.**,<sup>1</sup> in Courtroom A826, U.S. Courthouse, 801 Broadway, Nashville, Tennessee. The parties anticipate that the trial will last 2-3 days.

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<sup>1</sup> Although the parties addressed scheduling the trial on September 11, 2011, it was not possible to schedule the trial on that date.

A pretrial conference is also scheduled before Judge Sharp on **Monday, September 17, 2012, at 1:30 p.m.**, in Courtroom A826.

The Clerk is directed to forward the file in this case to Judge Sharp for his consideration of the plaintiff's motion to remand (Docket Entry No. 10), and the defendants' responses (Docket Entry Nos. 11 and 14).

Counsel for the parties advised the Court that briefing is complete on that motion and there shall be no further filings in support of or in opposition to the pending motion.

It is so ORDERED.

  
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JULIET GRIFFIN  
United States Magistrate Judge